

Oregon

Theodore Kulongoski, Governor

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August 5, 2004

Jan V.V. Betz
Deputy City Attorney
City of Portland
1221 S.W. 4th Avenue, Suite 430
Portland, Oregon 97204

Re: Conditional No Further Action Determination
Former Tucker Property
N. Lewis Avenue and N. Loring Street
Portland, Oregon
ECSI # 3036

Dear Ms. Betz:

The Department of Environmental Quality (DEQ) completed its review of the environmental investigation information for the former Tucker Property in North Portland. The property is now the site of a vehicle on-ramp to N. Interstate Avenue, but had been the site of two-story building and parking area. The property is currently described as Tax Lots 6400 and 6401 and the public right-of-way of Multnomah County Tax Map 1N 1E 27CA. The property is bounded by N. Lewis Avenue, N. Loring Street, N. Albina Avenue, and N. River Street in Portland, Oregon. DEQ records refer to the site as ECSI #3036, the Former Tucker Property, 2110 N. Lewis Avenue, Portland, Oregon.

DEQ determined that no further action is required to address environmental contamination at the former Tucker Property. This determination is based on the regulations and facts as we understand them, including but not limited to the following:

1. Prior to the on-ramp redevelopment in 2001/2002, the Tucker Property covered an entire city block and included a two-story building (with basement) on half of the property and asphalt-paved parking on the other half. Significant historic uses of the property had been an electrical equipment service center (PacifiCorp); and small retail and business offices since about the 1920s. PacifiCorp used the facility to service and maintain electrical transformers and other electrical equipment.

2. During on-ramp construction and the building demolition, soil and building materials (concrete) were determined to contain petroleum and polychlorinated biphenyl (PCB) contamination. Approximately 650 tons of petroleum-impacted soil were removed from the on-ramp footing excavations and disposed at Hillsboro Landfill. PCB-contaminated concrete, where PCB concentrations exceeded a federal PCB cleanup level of 25 milligrams per kilogram or parts per million (ppm), from building floors was removed and disposed off-site. The remaining building materials and concrete (with PCB concentrations below 25 ppm) were crushed and placed in the building basement before being covered by fill soil.
3. In 2002, Portland Department of Transportation (PDOT) completed construction of the on-ramp and the results of the follow-up site investigation conducted in 2003 indicated that soils were impacted sporadically with petroleum hydrocarbons (including low concentrations of petroleum constituents; polycyclic aromatic hydrocarbons or PAHs) and PCBs. Site groundwater was not significantly impacted from on-site sources. After completion of the vehicle on-ramp, the site was completely covered by either elements of the ramp or by newly placed asphalt pavement and curbing.
4. The contaminants (PCBs, petroleum, PAHs) in site media (buried debris and soil) presented a potential future unacceptable direct contact risk to site workers if exposed based on a risk screening evaluation. There were no unacceptable ecological risks at the site.
5. The current on-ramp structure and new paved parking areas effectively eliminated site risks and will continue to prevent human exposures as long as the on-ramp and paving remain in-place and are maintained. DEQ proposed to accept the site construction as an effective remedy of site risks in a public comment period in April 2004. No public comments were received.
6. The long-term reliability of the on-ramp and paving as a remedy depended on PDOT's ability to maintain the improvements in the future. On July 22, 2004, the City of Portland recorded an easement and equitable servitude (EES) with the property deed which documented the site conditions and required maintenance of the on-ramp as an effective barrier to site contamination.

Conclusion


DEQ concludes that based on the information presented to date, the former Tucker Property requires no further action under the Oregon Environmental Cleanup Law, ORS 465.200 et seq., unless new or previously undisclosed information becomes available. This determination is conditioned on the continued presence of the on-ramp which acts as an effective site cap. The EES requires that the City of Portland provide documentation to DEQ of the cap maintenance every five years.

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DEQ's ECSI database will be updated to reflect this conditional no further action decision. Because an EES has been recorded with the property deed and long-term maintenance of the cap is required, the site will be placed on DEQ's Confirmed Release List (CRL) and Inventory as required by ORS 465.215.

If you have any questions about the comments in this letter, please contact me at 503-229-6825 or Alicia Voss at 503-229-5011.

Sincerely,



James M. Anderson, Manager
Portland Harbor Section
DEQ NWR Cleanup Program

cc: Jeff Wallace, URS
Karen Karlsson, KKK Consulting
ECSI File # 3036